HIGH COURT OF UTTARANCHAL AT NAINITAL.

COURT NO.2

Writ Petition No. 593 (S/B) 2003

Ashok Kumar Sagar S/o Late Bhikari Singh,
Present posted as Jailor, SAI Camp,
Sitarganj Distt. U.S. Nagar. …..Petitioner

Vs.

Union of India through its Secretary,
Ministry of Home Affairs,
And four others. ….Respondents

Hon'ble P.C. Verma, A.C.J.
Hon'ble Rajesh Tandon, J.

This writ petition has been filed by the petitioner seeking writ of mandamus commanding the respondents to decide the option submitted by the petitioner for retention of his services in the State of Uttar Pradesh and to relive him accordingly at a very early date.

Heard Sri S.C. Bhatt, learned counsel for the petitioner and learned Standing Counsel for Union of India.

The petitioner, who is presently Jailor in Jail Camp, Sitarganj has opted for State of Uttar Pradesh. The option of the petitioner was to be either accepted or rejected by the Central Govt. under Section 73(2) of the U.P. Reorganistaion Act 2000 on the basis of advice given by the Advisory Committee constituted under Section 76 of the Act. But the recommendation has yet not been sent by the Advisory Committee for consideration in the option matter of the petitioner.

Therefore, we provide that in case the representation/option of the petitioner is pending before the Advisory Board, the Advisory Board shall decide the same and submit its recommendation expeditiously. After receipt of the recommendation of the Board, the Central Govt. shall take decision expeditiously under Section 73 of the Act.

The writ petition is disposed of accordingly.

Rajesh Tandon, J. **P.C. Verma, A.C.J.**

Dated 31.12.2003:
NCM